

Notice of Allowability

Application No.

09/672,476

Examiner

Igor N. Borissov

Applicant(s)

OTA ET AL.

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment - After Non-Final Rejection 10/13/2006.
2. ☐ The allowed claim(s) is/are 26-47.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Response to Amendment

Amendment received on 10/13/2006 is acknowledged and entered. Claims 1-25 have been canceled. Claims 26, 28-30, and 34-36 have been amended. Claims 26-47 are currently pending in the application.

Claim Rejections under 35 USC § 103 have been withdrawn due to the applicant's amendment.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal interview with an applicant's representative Jon P. Christensen (Reg. No.: 34,137) on Thursday, December 14, 2006.

The application has been amended as follows:

IN THE CLAIMS:

36. (currently amended) A system for promoting the sale of products and services through an automatic vending machine, comprising:

a point issuing device, in the automatic vending machine, ~~whereby the automatic vending machine presents~~ configured to present to a user of the automatic vending machine coded point information related to points issued for promotion of sale of products and services upon sale of merchandise by the automatic vending machine;

a center device ~~for storing and managing~~ configured to store and manage

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points corresponding to the coded point information presented by the point issuing device, by the user;

a personal communications device carried by the user ~~for transmitting~~ configured to transmit, by the operation of the personal communications device by the user, to the center device the coded point information presented by the point issuing device, together with identification of the user;

update means, provided in the center device, for decoding the coded point information transmitted by the portable terminal, and for updating points which have been stored and managed for the user based on the points corresponding to the decoded point information; and

premium providing means for offering a premium to the user by the automatic vending machine based on the points which have been stored and managed for the user, wherein:

the point information includes a module code configured to identify the automatic vending machine, and a secret code related to the points; and

whereby, the point issuing device encrypts at least the secret code before presenting the point information and products and services to the user.

37. (previously presented) The promotion system according to claim 36, wherein the point issuing device comprises:

setting means for effectively setting a display unit of the point issuing device based on a return signal issued by operation of a return lever of the automatic vending machine;

a timer ~~for counting~~ configured to count a predetermined time based on the return signal;

display control means for displaying on the display unit of the point issuing device the point information on a condition that a money collecting signal for confirming that the sales of merchandises as performed by the automatic vending machine is issued, after the display unit of the point issuing device has been effectively set by the setting means; and

erase control means for erasing the display of the point information displayed on the display unit of the point issuing device based on when the return signal is reissued by re-operation of the return lever or when the timer times out.

38. (currently amended) The promotion system according to claim 36, wherein the point issuing device ~~presents~~ configured to present the point information to the user by means of printing out the point information on a prescribed form by the use of printing means provided in the point issuing device.

39. (original) The promotion system according to claim 36, wherein the point issuing device comprises input means for inputting the point information to the portable terminal through a communication between the point issuing device and the portable terminal.

40. (currently amended) The promotion system according to claim 39, wherein the portable terminal comprises a portable telephone set carried by the user, and the input means ~~inputs~~ configured to input the point information to the portable telephone set using any of wire communication, wireless communication, infrared communication, and audio communication.

41. (previously presented) The promotion system according to claims 36, 37, 38, 39, or 40, wherein the secret code comprises parity information for checking alteration of the point information.

42. (previously presented) The promotion system according to claims 36, 37, 38, 39, or 40, wherein the secret code comprises at least a point issue number unique to the issued point information, and the center device ~~detects~~ configured to detect duplicate use of the point

information based on the point issue number comprised in the point information.

43. (original) The promotion system according to claim 36, wherein
the center device comprises an equipment database ~~to store and~~
configured to store and manage a state of at least one of the point issuing device and
the automatic vending machine in which the point issuing device is provided, in
correspondence with the module code.

44. (currently amended) The promotion system according to claim 36, wherein
the center device comprises a user database ~~to store and~~ configured to
store and manage circumstances of use of the system by the user, in correspondence
with the identification information for the user transmitted from the portable terminal of
the user.

45. (currently amended) The promotion system according to claim 36, wherein
the center device comprises accessing means which enables the user to
access the point information stored and managed for the user, in response to a request
made from the user using the portable terminal.

46. (original) The promotion method according to claim 31, wherein
the secret code comprises at least a point issue number unique to the
issued point information, and
the center device ~~judges~~ configured to judge duplicate use of the point
information based on the point issue number.

47. (original) The promotion system according to claim 41, wherein
the secret code comprises at least a point issue number unique to the
issued point information, and
the center device ~~detects~~ configured to detect duplicate use of the point
information based on the point issue number comprised in the point information.

Allowable Subject Matter

Claims 26-47 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent claims 26 and 36, the best prior art, Kato (Japanese Unexamined Patent Publication No. H8-153248) in view of Kelly et al. (US 5,816,918) and further in view of Kolls (US 6,643,623) disclose a method and system for remote authorization of a transaction at a vending machine, wherein, a consumer who desires to obtain a service or product from a vending machine transmits via a portable telephone a vending machine designated code and a consumer individual identification code to said vending machine; the vending machine transmits said information to a central controller; the central controller judges the individual identification code by judgment means; and, as a result of the judgment, when sales to the user of said identification code are possible, a sales authorization signal is transmitted to the vending machine, wherein accumulated amounts of credits earned by the user are displayed to the user, and wherein encrypting and decrypting technique is employed to protect the transmitted data.

However, Kato, Kelly et al. and Kolls fails to disclose transmitting to a center device, by operation by the user of a portable communication device carried by the user, the point information determined and presented by the point issuing device in the point information presenting step, together with identification information for the user.

The best NPL art, Betz, Karl ST 98-0343-GIL 11/09/1998 VENDORS, while addressing some problems relating to vending machines, fails to disclose transmitting to a center device, by operation by the user of a portable communication device carried by

the user, the point information determined and presented by the point issuing device in the point information presenting step, together with identification information for the user.

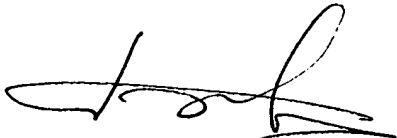
The remaining dependent claims are considered allowable, as they are dependent and based off of an allowable independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 703-305-4649. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703-308-2702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


IGOR N. BORISSOV
PRIMARY EXAMINER